

Remarks

Status of the Application

Prior to entry of this amendment, claims 19, 25-27 and 30-34 were pending. The Office Action mailed November 10, 2010 rejected claims 19, 25-27 and 30-34 under 35 U.S.C. § 103(a) as being unpatentable over US 2007/0124795 A1 to McKissick, ("McKissick"), in view of US 2002/0124247 A1 to Houghton, ("Houghton").

This paper amends claim 30. No claims have been added or canceled. Hence, after entry of this paper, claims 19, 25-27 and 30-34 will stand pending for examination. Claim 30 is an independent claim.

Claim Amendments

Claim 30 has been amended to specify that the set top box for each user "is configured to provide voice calling services for that user," and to indicate that tracking video programming activity includes tracking "how the video programming is affecting telephone and instant messaging activity among the multiple users." Support for this amendment can be found throughout the application, including, specifically, at paragraphs 0040-48 and 0060 of the specification as filed.

Rejections under 35 U.S.C. § 103

Claims 19, 25-27 and 30-34

Claims 19, 25-27 and 30-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McKissick, in view of Houghton. These rejections are respectfully traversed. Claim 30 has been amended, as noted above, to specify that the set top box for each user "is configured to provide voice calling services for that user," and to indicate that tracking video programming activity includes tracking "how the video programming is affecting telephone and instant messaging activity among the multiple users." A review of McKissick and Houghton reveals no disclosure or suggestion of these features. Accordingly, claim 30 and the remaining claims, which depend therefrom, are believed to be allowable over the combination of those two references.

Conclusion

Applicant believes that the pending claims are in condition for allowance. If it would be helpful to obtain favorable consideration of this case, the Examiner is encouraged to call and discuss this case with the undersigned.

This paper constitutes a request for any needed extension of time and an authorization to charge all fees therefore to deposit account No. 19-5117, if not otherwise specifically requested. The undersigned hereby authorizes the charge of any fees created by the filing of this document or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,

Date: 2010-12-30

/Chad E. King/
Chad E. King, #44,187
Swanson & Bratschun, L.L.C.
8210 Southpark Terrace
Littleton, CO 80120
Telephone: (303) 268-0066
Facsimile: (303) 268-0065

S:\Client\Folders\0438 (Qwest)\091910US\020366-091910US_NonFinalOfficeAction_111010 Response.doc